

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Polan et al.** §  
§ Group Art Unit: **2152**  
Serial No. **10/666,869** §  
§ Examiner: **Widhalm, Angela M.**  
Filed: **September 18, 2003** §  
§  
For: **Provisioning Web Services** §  
§

**Commissioner for Patents**  
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**35525**  
PATENT TRADEMARK OFFICE  
CUSTOMER NUMBER

**REPLY BRIEF (37 C.F.R. 41.41)**

This Reply Brief is submitted in response to the Examiner's Answer mailed on October 20, 2006.

No fees are believed to be required to file a Reply Brief. If any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447.

## **ARGUMENT**

Appellants have filed this Reply Brief to address several statements made in the Examiner's Answer.

### **A. GROUND OF REJECTION 1 (Claims 1, 2, 5, 8, 9, and 11-13)**

In answer to Appellants arguments in the Appeal Brief, the Examiner asserted a new paragraph of **Fletcher1**, with comments. The assertion is shown below, followed immediately by the cited paragraph of **Fletcher1**. The Examiner stated:

Appellant presented the following arguments:

(1) Regarding claims 1 and 8: Fletcher (U.S. Patent Publication 2003/0055624) does not disclose that administrative systems in this patent application are provisioned by web services.

Fletcher's portal is used to integrate web services (see paragraph 14). This integration of web services creates a new web service (see paragraph 41). Additionally, the portal functions as a full web service utility and in this capacity, the portal also manages web services and integration of web services' (see paragraph 41). This clearly explains that administrative systems are provisioned by web services.

Examiner's Answer mailed October 20, 2006, pages 8-9.

[0041] The present invention defines techniques for integrating web services and other back-end software resources into an application portal platform using a portlet model or paradigm, thereby creating new web services. One commercially-available portal platform on which the present invention may be implemented is the WebSphere.RTM. Portal Server ("WPS") from the International Business Machines Corporation ("IBM"). ("WebSphere" is a registered trademark of IBM.) Note, however, that while discussions herein are in terms of a portal platform, the inventive concepts are applicable to other types of content frameworks which provide analogous functionality and are also applicable to portals other than WPS, and thus references to portals and their portlet paradigm is by way of illustration and not of limitation. Using the disclosed techniques, an application portal functions not only as an access point for statically integrating services after manually providing engagements, as in the prior art, but also functions as a full web service utility. In its capacity as a web service utility, a portal platform according to the present invention provides programmatic management of web services and dynamic run-time integration of web services.

**Fletcher1**, paragraph 0041.

Appellants do not dispute that **Fletcher1** performs some management of the web services that are offered through the portal provided. Appellants do dispute that there is any provisioning of the management system(s). The present application defines provisioning as, “*configuring a system with account and other information sufficient to allow a particular consumer to access a particular web service*” (Application, page 5, lines 13-15).

**Fletcher1** does not disclose, or even suggest, that the portal provides provisioning of the management functions, as the term provisioning is used in the application. The Examiner’s response addresses the management functions of **Fletcher1**, but this response is not directed to the claim language, which recites, “*provisioning processes data storage for storing respective provisioning processes data ... for each of a plurality of provisioning web services that correlate to respective administrative systems supporting the plurality of web services ... [and] invoking the respective provisioning processes data for each provisioning web service that correlates to an administrative system supporting the first web service*”. The argument does not point to *provisioning processes data* that has been stored for these administrative functions, nor does the argument point to an invocation of the *provisioning processes data*. **Fletcher1** does not identically disclose the features of claim 1 and does not anticipate this claim. Therefore, the rejection of these claims should be overturned.

#### A.1. GROUND OF REJECTION 2 (Claims 1, 2, 5, 8, 9, and 11-13)

In the same response to arguments in the Appeal Brief, the Examiner also asserted two new paragraphs of **Fletcher2**. Again, the Examiner’s statements are shown below, followed immediately by the cited paragraphs of **Fletcher2**. The Examiner states:

Appellant presented the following arguments: ...

(2) Regarding claims 1 and 8: Fletcher2 (U.S. Patent Publication 2003/0135628) does not disclose that administrative systems in this patent application are provisioned by web services.

Fletcher is incorporated by reference into Fletcher2 (see paragraph 1) and therefore the above response to argument applies.

Additionally, Fletcher2 described executing an aggregated service and configuring its sub-services (see paragraph 68). Since both the aggregated service and its sub-services are web services (see paragraph 35), using the aggregated service to configure sub-services is an administrative function provisioned by a web service.

Furthermore, Fletcher2 described creating a new web service when

aggregating other web services (see paragraph 37). The portal platform creates the new web services and also manages these web services (see paragraph 37).

And lastly, Fletcher2 disclosed a portlet might act as a web service intermediary or proxy (see paragraph 38). Fletcher2 then described the portlet of figure 2 operating as a web service proxy between the portal platform and the software resource 250, i.e. a web service, while the web service carries out the function of interest (see paragraph 40), which may be administrative in nature (see paragraph 43).

Examiner's Answer mailed October 20, 2006, pages 8-9.

[0037] The dynamic run-time integration of web services which is made possible by the related inventions may use a composition tool for aggregating new web services. Using this composition tool, a systems administrator (or, equivalently, a service composer or other person) may define a new service composed of more fine-grained services. The fine-grained services from which other services are built may reside locally or remotely, and the techniques of the related inventions enable referencing those services and using those services in a transparent manner without regard to whether they are local or remote. The fine-grained services may include any form of programming logic, including script programs, Java.TM. classes, COM classes, EJBs ("Enterprise JavaBeans.TM."), stored procedures, IMS or other database transactions, legacy applications, and so forth. ("Java" and "Enterprise JavaBeans" are trademarks of Sun Microsystems, Inc.) The web services created in this manner can then automatically be managed by the portal platform and can also be used in creating new web services in a recursive manner, as was described in the related inventions.

[0038] The related inventions leverage portlets as a portal interface, and also build upon the concept of a remote portlet interface (where this concept is extended to apply to programmatic portlets), to enable access to software resources. Portlets functioning in this manner may be referred to as "web service intermediaries" or "web service proxies". That is, the related inventions enable a portlet to act as an intermediary between an application or software resource requesting a particular service and a software resource providing that service. The software resource performing a particular function may be statically bound to a web service proxy (for example, at development time), or a web service proxy may be bound to a software resource which is dynamically selected (for example, based upon criteria which are evaluated at run-time). In either case, the portlet proxy receives request messages and forwards them to the software resource to which it is bound; once the software resource has completed the requested function, it returns its response to the portlet proxy which then forwards the response to the requester.

**Fletcher2**, paragraphs 0037, 0038.

**Fletcher2** suffers from the same deficiencies as are discussed with regard to **Fletcher1**. Specifically, **Fletcher2** provides some management functions with regard to creating new web services that combine other existing web services, but **Fletcher2** does not disclose that these management functions are provisioned, as that term is used in the application and claims.

**Fletcher2** does not anticipate claim 1 because this references does not disclose, “*provisioning processes data storage for storing respective provisioning processes data ... for each of a plurality of provisioning web services that correlate to respective administrative systems supporting the plurality of web services ... [and] invoking the respective provisioning processes data for each provisioning web service that correlates to an administrative system supporting the first web service*”. The Examiner has not pointed to any *provisioning processes data* that has been stored for these administrative functions, nor shown an invocation of the *provisioning processes data*. **Fletcher2** does not identically disclose the features of claim 1 and does not anticipate this claim. Therefore, the rejection of these claims should be overturned.

## **CONCLUSION**

Neither **Fletcher1** nor **Fletcher 2** identically discloses the features of claim 1; therefore, these references do not anticipate claim 1. Appellants request that the Board of Patent Appeals and Interferences reverse the rejections of the outstanding claims. Additionally, Appellants request that the Board direct the Examiner to allow the claims.

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